IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND SIX

PRESENT
THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No.6286 of 2006

Between:

Dasanpally Jalender Goud.

..... PETITIONER

AND

1.The Road Transport Authority,
Mahabubnagar, Mahabubnagar District, and another.

.....RESPONDENTS

ORDER: ***(Per Hon'ble Sri Justice Bilal Nazki,)***

Heard learned Counsel for the parties.

On a check report, the petitioner's vehicle was seized. It is submitted by learned Counsel for the petitioner that the petitioner has already paid the tax due.

It is submitted by the learned Government Pleader for the respondents that the final order in enquiry has already been passed by the authority concerned on 01-04-2006 imposing penalty, and unless the penalty amount

is paid, the vehicle cannot be released.

Since the tax has already been paid, and since the order imposing penalty can be challenged by way of an appeal, therefore, we direct that the petitioner's vehicle be released subject to an undertaking by the petitioner that if he does not succeed in the appeal, he shall pay the penalty within one week after the disposal of the appeal. Petitioner is at liberty to file an appeal.

Writ Petition is, accordingly, disposed of. No costs.

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(Bilal Nazki, J)

10th April, 2006

(G.Chandraiah, J)

Note:
Furnish CC in two days.
B/o
LUR